

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Application of DANIEL MOLONEY,
TEMPEST REALTY CORP., LIFFEY VAN LINES, INC.,
and ROSE REALTY CORP.,

Petitioner-Appellants,

NOTICE OF MOTION

For an Order Pursuant to Article 75 of the New York
Civil Practice Law and Rules

Index # 103822/05

- against -

SHAMROCK BUILDING SYSTEMS, INC.,
Respondent.


SIR OR MADAM:

PLEASE TAKE NOTICE, that upon the annexed affirmation of WILLIAM A. GOGEL,
attorney for the Petitioners, duly affirmed on the 15th day of August, 2006, the Notice of Appeal
dated June 12, 2006, and the papers annexed hereto, the undersigned will move this Court, at the
Courthouse, located at 27 Madison Avenue, New York, New York 10010, on the _____ day of
_____ 2006 at 9:30 in the forenoon of that date, or as soon thereafter as counsel could
be heard, for an Order pursuant to C.P.L.R. Section 5519(c) staying arbitration before the
American Arbitration Association pending an appeal of the Order/Decision of the Supreme
Court: New York County directing Tempest Realty Corp. to proceed to arbitration and for such
other and further relief as the Court may deem just and proper.

Dated: New York, New York
August 15, 2006

Yours, etc.

AGULNICK & GOGEL, LLC

By 

William A. Gogel

Attorney for Petitioners

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TO:

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